

REMARKS

Claims 95, 102-104, and 111-115 are pending. Claims 111 and 112 have been amended. New claim 116 has been added.

Claims 102 has been amended to correct a typographical error. Claims 111 and 112 have been amended to provide appropriate claim dependency.

New claim 116 is drawn to the composition of claim 112 further comprising at least one peptide selected from the group recited in the claim. Support for new claim 116 can be found throughout the application as originally filed, e.g., in Table 3, beginning on 48 of the application.

The foregoing claim amendments should in no way be construed as acquiescence to any of the Examiner's rejections and were made solely to expedite prosecution of the application. Applicants reserve the right to pursue claims to the canceled subject matter, or any subject matter which they are entitled to claim, in this or a separate application. No new matter has been added.

Obviousness-Type Double Patenting Rejection

Claims 95, 102-104 and 111 have been rejected under the doctrine of obviousness-type double patenting over claims 1-33 of U.S. Patent No. 6,019,972 and over claims 1-24 of U.S. Patent No. 5,547,669. Applicants respectfully submit, while in no way admitting that the present claims are obvious over claims 1-33 of U.S. Patent No. 6,019,972 and over claims 1-24 of U.S. Patent No. 5,547,669, that, upon allowance of the present claims, Applicants will submit a terminal disclaimer in compliance with 37 C.F.R. 1.321(b) and (c), if appropriate, which will obviate the rejection.

Rejection of Claims 95, 102-104 and 113-115 Under 35 U.S.C. §112, First Paragraph

Claims 95, 102-104, and 113-115 are rejected as not complying with the written description requirement. Specifically, "[t]he Examiner is unable to find any support in the disclosure as-filed for compositions comprising a mixture of an isolated polypeptide comprising the amino acid sequence of SEQ ID NO:6 and an isolated polypeptide consisting of residues 14-39 of SEQ ID NO:6."

Applicants respectfully traverse this rejection and refer to their previous arguments of record. In addition, Applicants point to additional sections of the present specification which describe the claimed compositions, for example, at page 19, lines 23-29, which teach that (emphasis added):

[a]dministration of a TRFP protein or peptide of the present invention, such as isolated purified native TRFP free from all other polypeptides or contaminants, recombinant TRFP, modified TRFP, synthetically produced peptides of TRFP, **alone or in combination**, to an individual to be desensitized can be carried out using known techniques. The peptide or combination of two or more different peptides can be administered to an individual in a composition which also includes, for example, an appropriate buffer, a carrier and/or excipient (emphasis added).

Additional support can be found, for example, at page 4, lines 4-9 which describe that (emphasis added):

[t]his invention further pertains to modified TRFP protein and to modified TRFP peptides derived from TRFP comprising at least one T cell epitope; compositions containing modified TRFP or modified TRFP peptides derived therefrom; and to **methods of administering the modified TRFP or modified TRFP peptides, alone or in combination**, to reduce or prevent adverse effects that the unmodified, "naturally occurring" or "native" protein has on cat sensitive individuals.

Based on at least the foregoing, claims 95, 102-104, and 113-115 are fully described.

Rejection of Claim 111 Under 35 U.S.C. §112, Second Paragraph

Claim 111 is rejected as being indefinite. Specifically, the Examiner states that "[t]he claim is drawn to an isolated peptide consisting of Fel 31-2 ... and a pharmaceutical acceptable carrier. It is unclear how a polypeptide can consist of a pharmaceutical acceptable carrier."

To expedite prosecution, claim 11 has been amended to delete "pharmaceutical acceptable carrier." Therefore, this rejection is moot.

CONCLUSION

If a telephone conference with Applicants' Attorney would expedite prosecution of the application and allowance of the claims, the Examiner is urged to contact the undersigned representative at the number below.

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Respectfully submitted,

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